

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 5, 2011
POSITION: Neutral fiscally; defer to Health and Human
Services Agency

BILL NUMBER: AB 604
AUTHOR: N. Skinner

BILL SUMMARY: Needle Exchange Programs

This bill would permit the Department of Public Health (DPH) to authorize specified entities to provide hypodermic needle and syringe exchange services (HNSES) consistent with state and federal standards under specified conditions.

FISCAL SUMMARY

If the DPH elects to implement this program, it would require 0.3 full-time positions and costs of \$46,000 federal fund authority in 2011-12, \$35,000 federal fund authority in 2012-13, and \$49,000 federal fund authority in 2013-14 to develop regulations and initiate the program.

Once the program is initiated, the DPH would incur costs to process and evaluate applications to operate HNSES programs; the magnitude of these costs would depend on the number of applications submitted. The DPH estimates they would receive approximately ten applications annually. At this level, the costs would be absorbable at the position level requested above. However, if more applications were received, additional resources and funding would be necessary. The DPH estimates that if 50 applications are submitted annually, the department would require approximately \$140,000 in federal fund authority annually.

This bill would require the DPH to post specified information on its website. The DPH states this requirement would result in minor, absorbable costs because the website is already established and regularly updated as part of DPH's normal scope of work.

For the costs discussed above, the DPH would be able to redirect federal monies from the Centers for Disease Control and Prevention allocated to the Office of AIDS for HIV prevention. The department would redirect existing federal monies to cover these additional costs.

COMMENTS

The Department of Finance is fiscally neutral on this bill. Potential costs to the DPH would likely be minor and absorbable within existing federal resources.

Existing law regulates the sale, possession, and disposal of hypodermic needles and syringes; and requires a prescription to purchase a hypodermic needle or syringe for human use, except to administer adrenaline or insulin.

Existing law also permits a clean needle and Syringe Exchange Program (SEP) in any city and county and permits a county or a city with or without a health department to authorize a clean needle and SEP in consultation with DPH, as specified. Providers participating in a SEP authorized by a county or city are not subject to criminal prosecution for possession of needles or syringes.

Analyst/Principal (0553) B. Nunes	Date	Program Budget Manager Lisa Ann L. Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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Existing law also requires local government, local public health officials, and law enforcement to be given the opportunity to comment on syringe exchange programs on an annual basis and requires the public to be given the opportunity to provide input to local leaders to ensure that any potential adverse impacts on the public welfare of SEPs are addressed and mitigated.

This bill would (1) permit the DPH to authorize entities meeting specified requirements to provide HNSES consistent with state and federal standards; (2) exempt staff, volunteers, and HNSES program participants from criminal prosecution for possession of needles or syringes acquired from an authorized HNSES project entity; (3) provide that local officials and law enforcement be given the opportunity to comment on HNSES programs on a biennial basis, rather than annually as prescribed by current law; (4) require the DPH to establish and maintain on its website the address and contact information of all HNSES programs authorized pursuant to this bill; and (5) require the DPH, at least 45 days prior to approval of an entity's HNSES application, to send a written and email notification to the local public health officer and post the applicant's name, services, and location on its website.

	SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA								
Agency or Revenue	CO	(Dollars in Thousands)							Fund
Type	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
4265/PublicHealth	SO	No		----- No/Minor Fiscal Impact -----					0890
<u>Fund Code</u>	<u>Title</u>								
0890	Trust Fund, Federal								